



Department of
**Environment &
Conservation**

Title VI Frequently Asked Questions (FAQs)

Tennessee Department of Environment and Conservation (TDEC) | August 2022



1. What is federal financial assistance?

Federal financial assistance (FFA) encompasses a wide range of assistance given or loaned by a federal agency. Examples of FFA include:

- An award or grant of money received from a federal agency to be used by TDEC or to be passed on by TDEC to grantees or sub-recipients;
- Loans at low or reduced interest rates;
- The use or rent of federal land or property below market value;
- The donation of federal property or equipment;
- Federal training or a loan of federal personnel; or
- Federal subsidies.

TDEC passes through many of these FFAs to sub-recipients or grantees.

FFA does not include procurement contracts by the federal government at market value, programs that provide direct benefits (such as the social security administration), or contracts of guarantee or insurance.

2. What does Title VI prohibit?

Title VI prohibits discrimination on the basis of race, color, or national origin in the provision of services, activities, or programs. For example:

- Denying an individual any program services, financial aid, or benefits*;
- Providing a different service, aid, or benefit, or providing them in a manner different than they are provided to others*;
- Segregating or treating individuals separately in any matter related to receiving any program service, aid, or benefit.*

* Based on race, color, or national origin

3. When doesn't Title VI apply?

Title VI does not apply where there is no federal financial assistance.

For example, federal regulations provide that contracts of insurance and guarantees and procurement contracts for market value are not federal financial assistance and Title VI compliance is not required with respect to those federal funds.

4. How does TDEC comply with Title VI?

TDEC must take steps to demonstrate its compliance with Title VI requirements, including:

- Staff completion of Title VI training;
- Provision of language assistance services to Limited English Proficient (LEP) persons, free of charge; and
- Ensuring Title VI compliance of grantees, sub-recipients, and contractors receiving pass-through federal financial assistance.

5. What is Limited English Proficiency (LEP)? Can I get assistance from TDEC in my primary language?

Limited English Proficiency (LEP) occurs when an individual does not speak English as a primary language and has a limited ability to read, write, speak and/or understand English. Individuals may be competent in English for certain types of communication, such as speaking, but still be LEP for other purposes, such as reading or writing.

Title VI of the Civil Rights Act provides that LEP persons must be given meaningful access and an equal opportunity to participate in TDEC services, programs, and activities. (Executive Order 13166 (August 2001))

TDEC assists LEP individuals in achieving meaningful access and an equal opportunity to participate through the language assistance services of bilingual staff, telephonic interpretation and translation services, and other translation and interpretation services, as necessary.

If you require language assistance services to obtain meaningful access to TDEC programs, services, or activities, ask a TDEC employee for language assistance or an interpreter.

6. Does Title VI apply to TDEC's grantees and sub-recipients?

Yes! The requirement to comply with Title VI follows the federal financial assistance.

Once TDEC receives federal financial assistance, all of its programs and services must comply with Title VI requirements. Whatever federal financial assistance TDEC passes through to grantees and sub-recipients also carries with it the requirement for Title VI compliance. Consequently, grantees and sub-recipients must also take steps to comply with Title VI, including having a Title VI policy in place, providing language assistance services when necessary, and completing Title VI training.

7. I'm the recipient of a state-funded grant from TDEC; do I have to comply with Title VI requirements?

Yes. Since TDEC receives federal financial assistance, it must pass-through Title VI compliance obligations along with any financial assistance it passes through to sub-recipients or grantees. In fact, TDEC's Title VI compliance is conditioned, in part, on the Title VI compliance of its sub-recipients and grantees.

8. How do I achieve Title VI compliance as a contractor, sub-recipient, or grantee or TDEC?

In order to comply with Title VI requirements, you must:

- Adopt a Title VI policy and procedures, including procedures for beneficiaries to file a Title VI complaint, and procedures to provide language assistance services to LEP individuals;
- Develop and prominently post a Title VI poster where staff and the public can see it; and
- Educate staff about your Title VI policy and procedures through training. Maintain records of your training and class rosters.

TDEC hosts a website with its own Title VI resources. The website also includes sample resources, including Title VI policy and procedures, complaint process, brochure, poster, and Title VI training, for the utilization and customization of contractors, sub-recipients, and grantees.

If you have any questions, please contact the TDEC division through whom you received financial assistance or the TDEC Title VI Coordinator: TDEC.TitleVI@tn.gov.

9. *Is Title VI training required?*

TDEC employees are required to complete Title VI training, as are TDEC contractors, sub-recipients, and grantees.

TDEC makes its thirty-minute online Title VI training available for use and completion by the public, including, but not limited to contractors, sub-recipients, and grantees.

[Online Title VI Training](#)

10. *What do I do if I have suffered discrimination based on color, race, or national origin?*

If you believe that you have suffered discrimination in the provision of or access to services, programs, or activities on the basis of color, race, or national origin, you may file a complaint.

A complaint can be filed with the Tennessee Human Rights Commission, the federal agency providing the funding for the program/activity that discriminated, the state agency providing the funding or service for the program/activity that discriminated, or the agency that performed the discrimination.

For more information, see [TDEC's Title VI complaints process](#).